

2475. Adulteration of hot sauce and tomato sauce. U. S. v. 109 Cases of Hot Sauce and 500 Cases of Tomato Sauce. Consent decree of condemnation and destruction. (F. D. C. Nos. 1676, 1697. Sample Nos. 12421-E, 13588-E.)

Examination showed that both of these products contained excessive mold; and that the hot sauce also contained worm and insect fragments.

On March 21 and 22, 1940, the United States attorney for the Western District of Washington filed libels against 109 cases each containing 72 cans of hot sauce, and 500 cases of tomato sauce at Seattle, Wash., alleging that the articles had been shipped from San Francisco, Calif., on or about January 12 and March 14, 1940, by Schwabacher Bros. & Co.; and charging that they were adulterated. They were labeled in part: "Happy Home Brand Hot Sauce [or "Spanish Style Tomato Sauce"] Contents 7 $\frac{3}{4}$ Oz. Avoir."

The hot sauce was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed substance; and the tomato sauce in that it consisted in whole or in part of a decomposed substance.

On September 29, 1941, the Stockton Food Products Co., Stockton, Calif., claimant, having consented to the entry of a decree and the cases having been consolidated, judgment of condemnation was entered and the products were ordered destroyed.

OTHER FRUIT PRODUCTS

2476. Adulteration of apple butter. U. S. v. Pacific Food Products Co. Plea of guilty. Fine, \$352 and costs. (F. D. C. No. 2963. Sample Nos. 52203-E, 52207-E, 55546-E.)

This product contained worm and insect fragments.

On May 13, 1941, the United States attorney for the Western District of Washington filed an information against Pacific Food Products Co., a corporation, Seattle, Wash., alleging shipment on or about October 8, 1940, and January 13 and 21, 1941, from the State of Washington into the States of Idaho and Oregon, of quantities of apple butter which was adulterated. The article was labeled in part "Sunny Jim Pure Apple Butter."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance.

On July 3, 1941, a plea of guilty was entered on behalf of the defendant, and the court imposed a fine of \$350 on count I and \$1 each on counts II and III and also assessed costs.

2477. Adulteration of apple butter. U. S. v. 13 Cases and 2 Cans of Apple Butter. Default decree of condemnation and destruction. (F. D. C. No. 3754. Sample No. 52203-E.)

Examination showed that this product contained insect fragments and rodent hairs.

On February 3, 1941, the United States attorney for the Western District of Washington filed a libel against 13 cases each containing 6 No. 10 cans, and 2 cans of apple butter at Seattle, Wash., alleging that the article had been shipped on or about January 22, 1941, by Fred Meyer from Portland, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. This case was based on a return shipment of goods which originally had been shipped by the Pacific Food Products Co. from Seattle, Wash. The article was labeled in part; (Cans) "Sunny Jim Pure Apple Butter. * * * Mfg. by Pacific Food Products Co. Seattle, Wash."

On April 24, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2478. Adulteration and misbranding of FruZert. U. S. v. 15 Cases, 9 Cases, and 9 Cases of FruZert. Default decree of condemnation and destruction. (F. D. C. No. 4758. Sample Nos. 55469-E to 55471-E, incl.)

This article was represented to be essentially a fruit product, but it contained added water, sugar, and starch, which were not declared on the label.

On May 14, 1941, the United States attorney for the Western District of Washington filed a libel against 33 cases, each containing 72 cans, of FruZert at Seattle, Wash., alleging that the article had been shipped from Portland, Oreg., on or about April 16, 1941, by Merchants Wholesale Grocery Co.; and charging that it was adulterated and misbranded. It was labeled in part: "Pear [or "Peach" or "Fig"] FruZert * * * Made from Ripe Pears [or "Peaches" or "Figs"] * * * Contents 1 Cup or 8 Ozs."

The article was alleged to be adulterated (1) in that a mixture of fruit, water, sugar, and starch had been substituted wholly or in part for "FruZert A preparation * * * made from ripe pears [or "peaches" or "figs"]"; (2)